

Kelly Air Force Base Restoration Advisory Board

6:30 p.m.

Oct 17 2000 6:30 p.m.

Price Elementary School

Members/Alternates Present:

Community Members:

Dr. Gene Lené,
RAB Community Co-Chair
Mr. George Rice
Ms. Peggy Grybos
Mr. Phillip Farrell (Mr. Roberson's alt.),
GKDA
Mr. Armando Quintanilla
Mr. Paul Person
Mr. Scott Lampright (Mr. Mixon's alt.)
Ms. Tanya Huerta
Mrs. Dominga Adames
Mr. Roy Botello
Ms. Annalisa Peace

Government Members:

Mr. Adam Antwine, (Mr. McCullough's alt.),
RAB Installation Co-Chair
Mr. Mark Weegar, TNRCC
Ms. Laura Stankosky, USEPA
Mr. Sam Sanchez, SAMHD

Mr. John A. Jacobi, TDH
Mr. Nicolas Rodriguez, Jr., BMWD

Members Absent Without Alternate:

Mr. Alfred Rocha	Mr. Názirite Pérez
Mr. Kent Iglesias	Mr. Sam Murrah
Mr. Mark Puffer	Mr. Edward Weinstein

I. Call to Order

- A. Dr. Gene Lené, Co-Chair, called the meeting to order at 6:42 p.m.
- B. Ms. Linda Ximenes explained the meeting ground rules and goals.
- C. Mr. Gorge Rice asked if the meeting was being recorded and he was told it was.

II. Community Time

- A. Ms. Linda Ximenes explained that those who had turned in a speaker's card would have 3 minutes for their comments. Any questions asked would be answered directly to the speakers later. Those requiring Spanish translation would be allowed 6 minutes.
- B. Mr. Dale Johnson said that he had lived here since 1943 and lives at 1101 Quintana Road. He expressed great concern over the cleanup and commented that the government was going to do what they wanted about the contamination. He was concerned the placement of the Kelly Parkway Corridor would force him out of the neighborhood. He also asked what were the qualifications of members of the RAB.
- C. Ms. Myrna Sanchez asked if her property was going to be effected by the restoration work. She had heard that some homes would be lost. (Note: Ms. Sanchez home is in the Palo Alto area which is not within the Kelly plume boundary. Further discussion with her revealed that her concern was generated by information about the Kelly Parkway Corridor Study Project.)

III. Update on the North Kelly Garden Plume Report

A. Ms. Ellie Wehner, Texas Natural Resource Conservation Commission (TNRCC) provided a review of the state's position on the Mitretek Report, submitted in Feb 2000 on the Zone 4 shallow groundwater. EPA reviewed the report and provided official comments on August 21st. TNRCC had concerns with respect to the groundwater contamination plume delineation efforts and questions on historic base boundary in the area of the plume. She stated they had asked the Air Force to install and sample additional offsite wells. The sampling had been completed, however some wells were dry. It was assumed the recent rains may make it possible to get samples from those dry wells and the Air Force had agreed to try and resample them. As soon as the lab data is validated Kelly will submit a revised report, probably by the end of October. The TNRCC will provide a formal response after the revised report is submitted. Dr. Lené will receive a copy for the RAB.

B. Discussion:

1. Q - Mr. Sam Murrah asked who would do the research on the base boundaries and whether they would use a title company.

A - Ms. Wehner said the research was done by the Air Force.

2. Q - Mr. Armando Quintanilla asked if he was right in understanding that the TNRCC is doing a review of the North Kelly Garden plume.

A - Ms. Wehner answered that they are reviewing whatever Kelly provides in their document. They had also done a kind of internal review and provided the Air Force initial comments.

Comment - Mr. Quintanilla stated how critical it was to find out if the contamination off-base was caused by Kelly or not.

3. Q - Mr. Quintanilla asked if Kelly was not responsible for the plume then who was?

A - Ms. Wehner said that she could not answer that question.

4. Q - Mr. Quintanilla asked if could he get a copy of the information going to Dr. Lené.

A - Dr. Lené said he could.

5. Q - Mr. Rice asked what would happen if TNRCC agreed with Kelly, and were unable to find anyone else who is responsible for the plume, then what would happen.

A - She said that if they could not find another source Kelly would be told to go ahead with the cleanup.

IV. Kelly Permit/ Compliance Overview

A. Ms. Wehner reviewed the Permits and Compliance Plans. (see Attachment 2). In general persons who wish to treat, store or dispose of hazardous waste are required to have Hazardous Waste Permits. State industrial and hazardous waste permit requirements are supplied in 30 TAC 335.2 and 335.4c and also in Federal regulations under 3005c, the permits provisions for closure and post-closure care. Kelly got its permits on June 12th 1998. They are required to renew them every ten years until the actual conditions of the plan have been met. She stated the requirements under the permit and compliance plan.

B. Discussion:

1. Q - Ms. Grybos asked if monitoring wells were the norm in compliance plans.

A - Ms. Wehner said yes as the cleanup applied to groundwater.

2. Q - Ms. Grybos asked what would happen if in the future, it was found monitored natural attenuation was not working.

- A - Ms. Wehner responded that another method of cleanup would be used.
3. Q - Mr. Rice asked about the San Antonio Express-News column by Roddy Stinson on privatization of the cleanup program. What he got out of it was that perhaps the responsibility for cleanup would be transferred to the city or GKDA or some other entity. He asked for her opinion on what was proposed.
- A - Ms. Wehner had reviewed the column and had concerns since the permits are issued to the Air Force. Her concerns centered around the permits being turned over in privatization to another group.
- Comment - Mr. Phillip Farrell, representative of the Greater Kelly Development Authority (GKDA), said that the privatization program had not been proposed and that they were just listening to it. Starting 1 December GKDA will change to a defense-based developer, by law, and that tells them how they will conduct business. One of the results is that the Board of Directors has chosen to have an environmental committee. The Environmental Committee has had two meetings. The first meeting focused its responsibilities to assess or be involved in the shallow groundwater cleanup. The second meeting was in two parts. The first part, which Mr. Stinson did not mention in the article, was the fact that GKDA is a landowner with unique responsibilities and challenges. The second part, the privatization solution was unsolicited.
4. Q - Mr. Quintanilla said he wanted to know if this cleanup/compliance plan included the cleanup of all the trichloroethylene and jet fuel that is under area homes.
- A - Ms. Wehner said it should, as it is meant to address existing contamination, plus any new areas that have been discovered after issuance of the compliance plan.
- Comment - Mr. Quintanilla said Congressman Rodriguez had stated that the shallow groundwater that's beneath their homes and surrounding area should be cleaned up as if the Air Force Base had not polluted the area. He wanted it cleaned up to those standards.
- Comment - Mr. Quintanilla said the thing that we feared most when we went to see Congressman Rodriguez was Natural Attenuation. We asked that it not be used as a remedy. We do not want it. It takes too long. We do not want to shoulder twenty-five more years of contamination.
- Comment - Ms. Wehner responded that it is something that will be looked into if it is ever proposed as a remedy. There is nothing that prohibits the Air Force from actually proposing it as a remedy. Nevertheless, they must compare it to other alternative remedies that are out there as well. It is possible that there could be several remedies that could be used in combination.
5. Q - Ms. Grybos asked if any base was solely using monitored natural attenuation.
- A - Ms. Wehner said not to her knowledge. She added monitored natural attenuation is still relatively new.
6. Q - Mr. Rice said the Air Force was using it at S-4 and at North Kelly Gardens.
- A - Ms. Wehner said neither site had final remedies approved.
- Comment - Mr. Murrah reminded everyone that the majority of the contamination was in the soil on-base because that is where the source is. He continued that you could not clean the water up until you cleaned up the source.

7. Q - Ms. Tanya Huerta asked how TNRCC determine how public notification is done. She also asked if there was a time requirement from when the AF would notify them that they want to make an amendment to when the public has to be notified.
A - Ms. Wehner told her public notices were accomplished in a variety of ways including mail outs and advertisements. Concerning the timing of notices there is a requirement but she did not have that information with her.
8. Q - Ms. Huerta asked if TNRCC could notify the public when permits were changed.
A - Ms. Wehner thought that the rules stated that the permit holder notify the public.

V. Restoration Community Input

A. Mr. Russ Freeman, EG&G, presented a draft concept of how his company could accomplish the cleanup of Kelly AFB. (see Attachment 3) He emphasized this was not privatizing the clean up program, but consolidating the management under one contractor. He said this concept is based on changing people's paradigm of base cleanup. Under this concept, interested parties jointly develop a consensus solution that meets regulatory requirements and is supported by the community. The solution is presented to TNRCC and USEPA for their decision. Mr. Freeman believes through this cooperative approach time and money can be saved. The savings the Air Force realizes may come back to the community in infrastructure improvements, enhanced education and training, and other community improvement projects. He also introduced the role of insurance to protect all parties. The insurance would cover such things as cost over-runs, unknown existing contamination, and cleanup of accidental spills or releases. Currently several tenants have this type of insurance. It was emphasized that this was a concept and had not been solicited by GKDA or the Air Force.

B. Discussion:

1. Q - Mr. Quintanilla asked who pays the insurance premiums.
A - Mr. Freeman said the Air Force would pay the premiums.
2. Q - Mr. Rice said the Air Force is about to be sued for a lot of money so who would pay that money under this scenario, if the Air Force lost.
A - Mr. Freeman indicated under the type of policies he is suggesting the insurance company would pay for the protection.
3. Q - Mr. Tony Martinez asked if this was a transfer of responsibility and risk from the Air Force to a contractor.
A - Mr. Freeman said no, the Air Force would retain responsibility.

Comment - Mr. Sam Sanchez, San Antonio Metropolitan Health District, said what is being described really is a political solution. Any such organization would have to have a great deal of authority.

Comment - Ms. Grybos agreed with Mr. Sanchez, and offered the opinion that any company is there to make money and would need strings to bind them to use their power wisely.

Comment - Ms Tanya Huerta thought it sounded like the citizen's consensus was being bought. However she was willing to listen if the concept made it to public hearing.

Comment - Mr. Freeman emphasized the importance of getting the major players and influential citizens involved in the process.

Comment - Mr. Quintanilla voiced his concern that this had not been presented to the public.

Comment - Mr. Rice said he saw nothing new in the concept.

Comment - Mr. Pat McCullough said this is just one concept they had received and it would be included with all the others. This is just one idea we need to look at and discuss. As with all the ideas we look at it in light of how many of people's concerns it answers.

Comment - Mr. John Jacobi said he was in favor of anything that would do the job and speed up the cleanup. He also took the opportunity to inform the RAB that he was taking a job in the private sector and would be leaving the RAB.

C. Mr. McCullough entered a motion to officially thank John for his service. The motion passed and a letter of appreciation will be sent to him.

VI. Community-based Solutions Discussions

A. Ms. Ximenes announced that a public forum would be held on 1 November to share and gather comments on some possible cleanup solution sets.

B. Dr. Lené suggested the RAB vote on whether to have workshop on the solution sets before the public forum. The RAB voted to hold the workshop on 24 November. The meeting was set for 6:30 pm at the Kelly Base Chapel.

C. Ms. Huerta requested meeting materials as early as possible. Ms. Ximenes said the AF would do our best.

VII. Subcommittee Reports

A. Dr. Lené spoke about the September TRS meeting, devoted to the relative risk rating review. They found that many of the sites were closed or near closure. Also, 12 of the sites would be moved to Lackland, and were therefore no longer in the purview of Kelly AFB. The rest of the sites already had medium or high-risk ratings. The TRS recommended the RAB accept the ratings. The proposal was put forward as a motion and seconded. The motion was amended to accept the current ratings and send the unrated low-level radioactive sites to the TRS for review. Motion passed.

1. Discussion:

1. Q - Mr. Quintanilla asked to have the low-level radioactive sites add to the list. (See answer under #2.)

2. Q - Several RAB members asked if they were needed on the list and then asked for an EPA opinion.

A - Ms. Laura Stankosky, U.S. Environmental Protection Agency (USEPA), said because this is a closure base every site is being cleaned up. Some may finish before the others, but they are all being investigated and cleaned simultaneously. Whether or not they are included on this list, USEPA would support whatever the RAB wanted to do.

B. Mr. Mark Puffer presented the Membership subcommittee report. The committee suggested the RAB needed as much community representation as possible and to reach out to youths, small business, and churches parishes for members. He said the subcommittee would put a strategy together for recruiting. A motion was made and passed to accept the report.

1. Discussion:

1. Q - Several members asked about the requirement of living within the community.

A - Ms. Ximenes said that the definition of community member has not been resolved.

2. The RAB was told everyone who had previously applied for membership had withdrawn and presently there were no new candidates.

VIII. Fuel Misting Report

A. An engine testing expert, Mr. Mark Wade, Air Force Contractor with KARTA, spoke on aspects of jet engine fuel usage. He said the engines are highly fuel efficient (90%). He said the potential for some fuel to not be burned and come out is only when you shift power settings. In a fighter aircraft this happens when it goes to afterburner, typical on taken off. On a larger aircraft, it happens when you are landing and climbing or descending down to maintain speed. He also spoke about the oil misting possibility. He then said misting is most possible is if the engine is not performing up to standards. Old aircraft, which burned JP-4, may have had some misting and it would have evaporated quickly. However, it is an almost impossible occurrence with today's engines and aircraft.

B. Discussion:

1. Q - Ms. Dominga Adames said the children playing in the area would get "rained on by up to 20 planes a day".
A - Mr. Wade said he did not think it was likely to have been fuel, but perhaps oil. It is very hard to say.
2. Q - Ms. Adames said that the community could expect worse with more civilian aircraft that are not as well maintained as Air Force planes.
A - Several people pointed out that even civilian aircraft are well maintained due the cost of damaging an engine/losing an aircraft compared to the cost of routine maintenance. It was pointed out that pilots are very hesitant to fly aircraft with engines that are not performing up to specifications, due to risk of life-threatening accidents.

Comment - Mr. Charles Williams, AFBCA, said ATSDR had requested more information on fuel misting. The BCA were still putting it together and would make the information available to the RAB.

IX. Meeting Wrap Up

A. Future Agenda Items

1. Environmental Justice presentation from USEPA.
2. Information on how the alleged fraud at Lab in Richardson, TX might impact the base.
3. Review and closure of past executive sessions/workshops.

B. Mr. Rice praised the use of postcards listing all the upcoming RAB sessions.

C. Minutes for the August 29, 2000 RAB meeting were reviewed and approved.

D. Action Items for the next RAB meeting (No action Items were presented during the meeting wrap-up. The following were gleaned from the meeting notes and transcript.)

ITEM#	Requestor	Request
1	Ms. Myrna Sanchez	What do you mean by restoration? Does it mean Kelly will be buying out our homes for construction there in the Palo Alto area?
2	Ms. Myrna Sanchez	Will Bob Hope Elementary Area be included in restoration?
3	Mr. Dale Johnson	What is the expertise of the RAB in the areas of cleanup and applicable regulations/laws?
4	Mr. Dale Johnson	Can the Air Force hire an outside environmental engineering firm to examine the area and explain to the applicable laws to the neighborhood property owners?
5	Mr. Dale Johnson	Explain to the neighborhood the devaluation of their property values.
6	Ms. Huerta	Is there acreage that won't be turned over to GKDA because it is contaminated?
7	Mr. Rice	Under the TERP can the public request a hearing if the permits are changed
8	Mr. Rice	Requested data that had been supplied to ATSDR on fuel misting.

Motions/Resolutions

Motions

- Motion was made to hold a RAB Workshop on November 24, 2000.
 - Passed unanimously
- Motion was made to accept the Air Force's relative risk ratings as presented and have the TRS review ratings for low-level radioactive hazardous wastes sites.
 - Passed unanimously
- Motion was made to accept the membership subcommittee report.
 - Passed unanimously
- Motion was made to approve the minutes for the August 29, 2000 RAB meeting.
 - Passed unanimously

Attachments (*Provided at the meeting to all RAB members)

- *Meeting Materials Package
- *USEPA Presentation
- *An Alternative Approach to the Kelly Cleanup